



MEMO

To: Civil Rights Leaders, Allies and Partners
From: NAACP Legal Defense and Educational Fund, Inc.
Date: January 6, 2017
Regarding: **Jeff Sessions' Dangerous Record on Civil Rights and Equality Makes Him Unfit to be the U.S. Attorney General**

As you know, on January 10, the Senate Judiciary Committee is currently scheduled to hold a confirmation hearing on Jeff Sessions' nomination to serve as the U.S. Attorney General. It is critically important that we spread the word about Senator Sessions' dangerous record! As you prepare your plans to react to the hearing next week, the NAACP Legal Defense Fund (LDF) wanted to make sure you had the insights on Sessions' background and a summary of the wide range of voices that have expressed concern over his appointment.

Senator Sessions is too divisive, too extreme and incapable of protecting the interests and safety of all Americans. Sessions has a dangerous record of opposing civil rights and equality and as Attorney General he could turn back the clock on decades of progress. This nomination is just another example of President-elect Donald Trump going back on one of his central campaign promises, to unite the country.

I hope you will join us in shedding light on Sessions' record and commentary in the lead up to the hearing and afterwards. Below are a few things you can do:

- Help spread the word about Senator Sessions' long record of opposing civil rights and equality—on social media, to your email lists and in the media. Suggested tweets are below.
- Call your senators to encourage them to demand a full and complete hearing and to make sure they are aware of Senator Sessions' record and encourage your members to do the same. The phone number to call is: (877) 959-6082.
- Attend the scheduled hearings on Tuesday January 10th and Wednesday January 11th to have a strong presence of advocates and leaders to demonstrate the extent of the concern over the nomination of Senator Sessions.

Jeff Sessions' Record

Throughout his career Jeff Sessions has opposed civil rights and equality, so it is unimaginable that he could be entrusted to serve as the chief law enforcement officer for this nation's civil rights laws. His decades-long record demonstrates that he is unfit to be Attorney General, prompting letters opposing his nomination from former [Massachusetts Governor Deval Patrick](#) and [more than 1,100 law school professors](#) nationwide. And in 1986, Sessions was rejected by the Senate for a Federal Judgeship in Alabama. At the time, the Senate Judiciary Committee called Sessions "grossly insensitive" on racial issues.

Sessions has continually opposed measures to ensure all Americans are treated equally.

- **Throughout his career, Sessions has made it clear that he does not support the LGBT community.** In 2009 he [voted against](#) the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, which expanded federal hate crime legislation to include crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability. In 2006, Sessions [supported a federal constitutional amendment](#) to ban same-sex marriage.
- **Sessions stood in the way of significant legislation designed to elevate and protect women.** Sessions [voted against](#) the 2009 Lilly Ledbetter Fair Pay Act, which ensures that the statute of limitations does not unfairly bar claims of pay disparity based on gender discrimination. And in 2013 he [voted against](#) the reauthorization of the Violence Against Women Act, which seeks to improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States.
- **Sessions has opposed the Voting Rights Act, which sought to ensure all American had an equal opportunity to participate in our democracy.** Session criticized the landmark Voting Rights Act of 1965, [calling](#) it an "intrusive," piece of legislation. And, as U.S. Attorney, he was [accused](#) of pursuing voter fraud at the expense of the black community.
- **Sessions supported Trump's plan to ban Muslim immigrants, saying "I think it's appropriate to begin to discuss this."** "Mr. Sessions said he was open to considering it in a Breitbart interview last December with Stephen K. Bannon, who was chosen by Mr. Trump this week as a top White House adviser." [New York Times, [11/18/16](#)] Moreover, Sessions "gave [a 30-minute speech](#) to the committee room [Senate Judiciary Committee] arguing that the federal government should be able to use whatever criteria it wants to decide who can and can't immigrate to the U.S.— and that includes religion." [The Daily Beast, [11/19/16](#)]
- **Sessions has long been an anti-immigrant voice and has supported building a border wall since at least 2006.**
 - **January 2015: Jeff Sessions Wanted The Obama Administration To Build 700 Miles Of Fence Along The Southern Border.** "Sessions, like other conservatives, has said that it doesn't make sense to expend money to secure the border if the White House isn't going along with enforcing the laws. He has advocated for the Obama Administration to OK the building of a double-layered fence spanning 700 miles along the border." [Huntsville Times, [1/26/15](#)]
 - **March 2016: Jeff Sessions Said A Border Wall Was "The Right Thing."** In an interview, sessions said "We can fix this situation on the Mexican border. It is fixable, and a wall, a barrier, is an essential part of that, and it will be the right thing." [Breitbart News Daily, [3/2016](#)]
 - **In a Washington Post Op-Ed, Sessions writes** "What we need now is immigration moderation: slowing the pace of new arrivals so that wages can rise, welfare rolls can shrink and the forces of assimilation can knit us all more closely together." [Jeff Sessions op-ed, The Washington Post, [4/9/15](#)]

Senator Sessions has had a record of unethical actions while in the U.S. Senate.

- **Sessions supported tax breaks for the Alabama timber industry, from which he benefitted financially.** [The Washington Post reported](#): “Sessions at the time owned 40 acres of timberland in western Alabama worth between \$50,000 and \$100,000. In 2009, he inherited from his mother and aunt 1,100 acres of timberland valued at the time between \$1 million and \$5 million. Last year, he reported earning between \$115,000 and \$1,050,000 from the sale of timber. From 2005 through 2009, Sessions sponsored or co-sponsored three other bills promoting tax reforms generally related to timber.” [[The Washington Post, 10/7/12](#)]
- **Sessions bought bonds in Brazilian State-backed oil company Petrobras after the Department of Justice initiated a corruption investigation into the business.** In 2014, the SEC and the U.S. Department of Justice opened an investigation into Petrobras, which [ramped up in 2016](#). Sessions replaced all of his Petrobras bonds with the newer, higher-yield bonds offered in May 2016, as the investigation was ramping up.
 - 5/24/16: Jeff Sessions Sold All \$15,001-50,000 Worth Of His Petrobras Corporate Bonds With A Coupon Rate Of 5.875 Percent. [Periodic Transaction Report (Amendment 1), U.S. Senate, 6/15/16]
 - 5/24/16: Jeff Sessions Bought \$15,001-50,000 Worth Of Petrobras Corporate Bonds With A Coupon Rate Of 8.375 Percent That Would Mature On May 23, 2021. [Periodic Transaction Report (Amendment 1), U.S. Senate, 6/15/16]
- **Sessions even pushed for legislation that would help Compass Bank and Citigroup, both of which Sessions Family had invested in, save billions of dollars.** [The Wall Street Journal reported](#): “In late July, Sen. Jeff Sessions began promoting legislation that would aid some of the nation's biggest banks -- among them, two institutions in which he and his wife hold shares.” [[The Wall Street Journal, 10/4/07](#)]
- **In 2007, Sessions became a member of the Senate Energy Committee, while continuing to hold stock in energy corporations.** Select examples are below.
 - 2007: Jeff Sessions Sold \$15,001-50,000 In Shares Of Energen Stock That He Held Jointly With His Wife. [Jeff Sessions, Public Financial Disclosure, [5/15/08](#)]
 - 2007: Mary Sessions Sold \$15,001-50,000 In Shares Of Energen Stock. [Jeff Sessions, Public Financial Disclosure, [5/15/08](#)]
 - 2008: Mary Sessions Reported A \$15,001-50,000 Capital Gain From Selling Shares Of Energen Corporation Stock. [Jeff Sessions, Public Financial Disclosure, [5/11/09](#)]
 - 2008: Jeff Sessions Held \$15,001-50,000 In Shares Of FPL Group Stock Jointly With His Mother. [Jeff Sessions, Public Financial Disclosure, [5/11/09](#)]
 - 2008: Jeff Sessions Held \$1,001-15,000 In Shares Of Spectra Energy Corp Stock Jointly With His Mother. [Jeff Sessions, Public Financial Disclosure, [5/11/09](#)]
 - 2007: Mary Sessions Sold \$1,001-15,000 In Shares Of El Paso Corporation Stock. [Jeff Sessions, Public Financial Disclosure, [5/15/08](#)]

Sessions’ past comments on race clearly demonstrate that he would be unable to follow through with a key responsibility of the Attorney General, to "ensure the fair and impartial administration of justice to all Americans."

- **Lawyer called Jeff Sessions Decision to Prosecute Black Activists “Political, Vindictive, And Selective.”** In 1985, as a U.S. Attorney, Sessions charged three civil rights activists – including Martin Luther King, Jr. colleague Albert Turner – for alleged voting fraud in Perry County, Alabama. “J.L. Chestnut, a lawyer for Perry County defendants, said he would testify as a member of the all-black National Bar Association against Sessions' nomination in Washington. ‘By choosing to prosecute Albert Turner and the others, and refusing to prosecute similar charges against white election officials, Mr. Sessions made a political, vindictive and selective decision,’ Chestnut charged. ‘That was an action unworthy of a U.S. attorney, much less a federal judge.’” [[Chicago Tribune, 12/11/85](#)]
- **Jeff Sessions Makes Light of Brutal Lynching Carried Out By the KKK:** “As the US attorney in Mobile, Alabama, Jeff Sessions was talking over a case one day in the 1980s with two fellow prosecutors. It had to do with a young black man who had been kidnapped and brutally murdered by two members of the Ku Klux Klan. The Klansmen, Henry Hayes and Tiger Knowles, slit the victim's throat and hung his body from a tree. They carried out the attack in retribution for a jury acquitting a black man in the slaying of a white police officer. As Sessions learned that some members of the Klan had smoked marijuana on the evening of the slaying, he said aloud that he thought the KKK was: "OK until I found out they smoked pot." Sessions insists he was joking. But the damage was done.” [[CNN, 12/11/16](#)]

Sessions' Appointment is Widely Opposed by the Civil Rights and Legal Community

- **A coalition of 144 Civil and Human Rights Organizations wrote an [open letter](#) calling on the Senate to Oppose Confirmation of Jeff Sessions.** The letter stated that “Senator Sessions has a 30-year record of racial insensitivity, bias against immigrants, disregard for the rule of law, and hostility to the protection of civil rights that makes him unfit to serve as the Attorney General of the United States.”
- **Eight Democratic leaders from the Senate, including Sen. Leahy (D-VT) and Sen. Durbin (D-IL) sent a [letter](#) to Judiciary Committee** urging them to have a “thorough, transparent, and fair” hearing before issuing a decision on Sen. Sessions’ nomination.
- **Former Massachusetts Governor Deval Patrick, who in 1985 defended three African-Americans unfairly prosecuted by Sessions for voting fraud, recently penned a [letter](#) to Chairman Grassley and the Judiciary Committee** stating "At a time when our Nation is so divided, when so many feel so deeply that their lived experience is unjust, Mr. Sessions is the wrong person to place in charge of our justice system."
- **1140 Law Professors from 171 different law schools in 49 states across the country issued a joint statement urging the Senate Judiciary Committee to reject Sessions’ nomination.** [They wrote](#) “All of us believe it is unacceptable for someone with Senator Sessions’ record to lead the Department of Justice.”
- **In [an op-ed](#) in the New Republic, Sherrilyn Ifill, the President and Director-counsel of the NAACP Legal Defense and Educational Fund, pushed back against attempts to cast Sessions as**

a civil rights champion and urged a full vetting of his record. Ifill writes: “This record suggests that the Senate should engage in a rigorous and thorough review of Sessions’s record to determine whether he should be entrusted with the sacred duty of enforcing the nation’s civil rights laws. Whatever the outcome, the hearings cannot begin with the false premise that Sessions is, or has ever been, a civil rights advocate. Or we ourselves will be complicit in weakening the most important firewall that stands against the gathering challenge to our democracy—the rule of law.”

Sample Social Media Content

Tweets

- What you need to know about Sen. Jeff Sessions' record on civil rights throughout his career #StopSessions <http://buff.ly/2fTplID>
- Did you know? Jeff Sessions has opposed efforts to [#RestoreTheVRA](#) after [#SCOTUS](#) gutted it in 2013. #StopSessions <http://bit.ly/2g3jlgn>
- Hard to imagine Sessions would ensure DOJ is doing all it could to ensure [#votingrights](#) #StopSessions <http://buff.ly/2fuemEG>
- ICYMI: Jeff Sessions called the [#VRA](#) “a piece of intrusive legislation” & opposed efforts to update #StopSessions <http://bit.ly/2hSXZaP>
- What you need to know about Jeff Sessions' record on [#civilrights](#) throughout his career #StopSessions <http://bit.ly/2g3jlgn>
- Sessions' AG nom sends signal from Trump administration that it will turn its back on equality #StopSessions <http://theatl.in.tc/2gwAljl>
- DYK Jeff Sessions voted against the Matthew Shepard & James Byrd Jr. Hate Crimes Prevention Act #StopSessions <http://buff.ly/2fufHfA>
- It's unimaginable Sessions could be entrusted to serve as top law enforcer for US [#civilrights](#) laws #StopSessions <http://buff.ly/2fHL9tw>
- Jeff Sessions voted against Lilly Ledbetter Fair Pay of 2009. Learn more about his record. #StopSessions <http://bit.ly/2g4MBo8>
- DYK: Throughout his entire career, Sessions has been hostile to civil rights advocacy. Read more: <http://bit.ly/2i0q8LB> #StopSessions
- AG needs to be America’s Attorney. What answers does Jeff Sessions need to provide American people? #StopSessions
- [.@KyleCBarry](#): Sessions is unfit to be AG b/c of his history of condemning civil rights advocacy #StopSessions <http://buff.ly/2hWrqIb>

- [@Sifill LDF](#): Sessions' record as a law enforcement officer exemplifies danger he represents to rule of law <http://buff.ly/2geH10A>
- These are just a few things that have been omitted from Jeff Sessions' Senate Judiciary Questionnaire: <http://ow.ly/XR9D3078YUI>
- Sessions unwilling to hold self to same standard he holds others who appear before [@senjudiciary](#). #StopSessions <http://ow.ly/86Uq3078X1X>
- Sessions should be held to his own statements on the importance of complete answers to nominee questionnaires #StopSessions
- Learn more about what Sessions left out in his Senate Judiciary Questionnaire #StopSessions <http://bit.ly/2ijEFiW>

Facebook Posts

- A memo released by a number of organizations, including LDF, revealed gaping holes in Attorney General nominee Jeff Sessions's response to his Senate Judiciary Questionnaire (SJQ) that preclude the Judiciary Committee from holding a thorough and complete hearing on his nomination. This finding also revealed that, as a nominee, Sessions apparently takes the SJQ far less seriously than he does as a Senator tasked with assessing nominees, and that he is unwilling to hold himself to the same standard to which he holds other nominees who appear before the Committee.
- In preparation for his hearing to become US Attorney General, longtime Alabama senator Jeff Sessions submitted a questionnaire to the Senate Judiciary Committee that's missing a key detail: any mention of the time that same committee defeated his nomination to be a federal judge in 1986.
- Senator Jeff Sessions is unfit to enforce our nation's civil rights laws. Here's why: <http://bit.ly/2g3jlgn> #StopSessions
- LDF's Associate Director-Counsel Janai Nelson: "Any examination of Jeff Sessions' 30 year record demonstrates he is unfit to be the chief enforcer of our nation's #civilrights laws."
- What you need to know about Jeff Sessions, nominated for U.S Attorney General. <http://www.naacpldf.org/press-release/what-you-need-know-about-sen-jeff-sessions>
- Jeff Sessions' nomination for U.S. Attorney General is yet another signal from the incoming administration that it is not only prepared to turn its back on equality, it is actively working to continue to sow division and undo decades of progress.
- Did you know? Jeff Sessions referred to the Voting Rights Act as "a piece of intrusive legislation," and later opposed efforts to update the landmark law.

- LDF's Director of Policy Todd Cox on the nomination of Jeff Sessions for Attorney General: "AG pick has demonstrated hostility towards civil rights and equality. That is cause for concern."